

**REISSUE APPLICATION DECLARATION BY THE INVENTOR**

Docket Number (Optional)

1185R1

I hereby declare that:

Each inventor's residence, mailing address and citizenship are stated below next to their name.

I believe the inventors named below to be the original and first inventor(s) of the subject matter which is described and claimed in patent number 5,813,191, granted September 29, 1998 and for which a reissue patent is sought on the invention entitled SPACER FRAME FOR AN INSULATING UNIT HAVING

STRENGTHENED SIDEWALLS TO RESIST TORSIONAL TWIST

the specification of which

☐ is attached hereto.

☒ was filed on September 20, 1999 as reissue application number 09/399545

and was amended on February 19, 2002; August 14, 2002; April 10, 2008;

(If applicable)  
February 23, 2009; October 13, 2009; April 15, 2010; May 13, 2010; and  
amendment filed even date.

I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

☐ I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b). Attached is form PTO/SB/02B (or equivalent) listing the foreign applications.

I verily believe the original patent to be wholly or partly inoperative or invalid, for the reasons described below. (Check all boxes that apply.)

☐ by reason of a defective specification or drawing.

☒ by reason of the patentee claiming more or less than he had the right to claim in the patent.

☐ by reason of other errors.

At least one error upon which reissue is based is described below. If the reissue is a broadening reissue, such must be stated with an explanation as to the nature of the broadening:

The embodiment of the invention wherein the first and second legs are spaced from and out of contact with one another as recited in column 7, lines 25-40 of U.S. Patent No. 5,813,191 was not claimed. The embodiment of the invention not originally claimed is now claimed in at least added claim 35.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.175. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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|--|--|--------------------------|-----|
| (REISSUE APPLICATION DECLARATION BY THE INVENTOR, page 2)  |  | Docket Number (Optional) |     |
| All errors corrected in this reissue application arose without any deceptive intention on the part of the applicant.   |  |                          |     |
| Note: To appoint a power of attorney, use form PTO/SB/81.  |  |                          |     |
| Correspondence Address: Direct all communications about the application to:  |  |                          |     |
| <input checked="" type="checkbox"/> The address associated with Customer Number:   |  | 24959                    |     |
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| <b>WARNING:</b>  |  |                          |     |
| <p>Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.</p> <p>I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine and imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this declaration is directed.</p> |  |                          |     |
| Full name of sole or first inventor (given name, family name)  |  |                          |     |
| Raymond G. Gallagher   |  |                          |     |
| Inventor's signature   |  | Date                     |     |
| <i>Raymond G. Gallagher</i>  |  | 1/21/11                  |     |
| Residence  |  | Citizenship              |     |
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| Full name of second joint inventor (given name, family name)   |  |                          |     |
| Inventor's signature   |  | Date                     |     |
| Residence  |  | Citizenship              |     |
| Mailing Address  |  |                          |     |
| <input type="checkbox"/> Additional joint inventors or legal representative(s) are named on separately numbered sheets forms PTO/SB/02A or 02LR attached hereto.   |  |                          |     |

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The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

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6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
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9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.